

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

JEFFERSON GRIFFIN,

*Plaintiff,*

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS,

*Defendant,*

and

ALLISON RIGGS et al.,

*Intervenor-Defendants.*

Case No. 5:24-cv-00731-M-RJ

NORTH CAROLINA DEMOCRATIC  
PARTY,

*Plaintiff,*

v.

NORTH CAROLINA STATE BOARD OF  
ELECTIONS et al.,

*Defendants.*

Case No. 5:24-cv-00699-M-KS

CARRIE CONLEY et al.,

*Plaintiffs,*

v.

ALAN HIRSCH et al.,

*Defendants.*

Case No. 5:25-cv-00193-M-RJ

## **MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF**

Secure Families Initiative (“SFI”) respectfully moves for leave to file the proposed *amicus curiae* brief (Exhibit A) in support of the injunctive relief sought by multiple parties submitted with this motion. SFI files this brief to provide a unique perspective and expertise regarding the barriers military voters face when participating in our elections, and why the cure process imposed by the North Carolina state courts is functionally impossible to comply with and will result in eligible voters being disenfranchised. SFI’s proposed *amicus curiae* participation will aid the Court without prejudicing or delaying the litigation.

Undersigned counsel have received consent to file the attached brief from counsel for Justice Allison Riggs, Judge Griffin, the Conley Plaintiffs, the North Carolina Democratic Party, VoteVet Intervenors, and the State Board Defendants.

### **I. Identity and Interest of Proposed *Amicus Curiae***

Proposed *Amicus* SFI is a nonpartisan 501(c)(4) not-for-profit organization comprising military spouses and family members that advocates for federal and state policies to increase accessibility for military-affiliated and overseas voters. Because voting remains less accessible for its members and the broader military and overseas community, SFI educates those voters and engages in non-partisan “get-out-the-vote” efforts for military voters in all elections. SFI has North Carolinian members and a strong interest in ensuring that the right to vote is protected for its members and the military community it serves.

*Amicus* submits this brief not to favor one political party or another but rather to safeguard the voices of the broad coalition of voters it represents. Military and overseas voters protected by the Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”), Pub. L. No. 99-410, 100 Stat. 924 (1986), are U.S. citizens who are active members of the Uniformed Services, the

Merchant Marines, the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration, as well as their eligible family members and any other U.S. citizens residing outside the United States. *Amicus* has a strong interest in ensuring that military and overseas Americans are not unduly burdened in exercising their right to vote. Drawing on the experiences of their members, *Amicus* seeks to draw on its expertise to aid the Court in understanding how the relief granted by the North Carolina Court of Appeals as modified by the North Carolina Supreme Court—requiring a cure or discarding the ballots of military and overseas voters who dutifully followed the rules of every North Carolina government authority—risks the disenfranchisement of at least fourteen hundred military and overseas voters.

SFI has participated as *amicus curiae* in the state court proceedings for this case and numerous other cases in state and federal court to advance the interests of military voters in interpreting voting statutes. *E.g.*, *Griffin v. N. Carolina State Bd. of Elections*, 24CV040620-910 (N.C. Ct. App. Feb. 26, 2025); *Griffin v. N. Carolina State Bd. of Elections*, No. COA25-181, 2025 WL 1021724 (N.C. Ct. App. Apr. 4, 2025), *review allowed in part, denied in part*, No. 320P24-3, 2025 WL 1090903 (N.C. Apr. 11, 2025); *Mi Familia Vota v. Fontes*, No. 24-3188 (9th Cir. 2024); *Cobb County Board of Elections v. State Election Board*, No. 24CV012491 (Ga. Super. Ct. Oct. 9, 2024); *Crawford v. State Election Board*, No. 24CV012349 (Ga. Super. Ct. Oct. 15, 2024); *Thurmond v. State Election Board*, No. 24CV9085 (Ga. Super. Ct. Oct. 9, 2024); *Eternal Vigilance Action v. State of Georgia*, No. 24CV011558 (Ga. Super. Ct. October 9, 2024).

## **II. Granting the Motion to Appear as *Amicus Curiae* Would Assist the Court's Consideration of injunctive relief**

The Court should exercise its broad discretion to allow SFI to participate as *amicus curiae*. Whether any *amicus curiae* should be permitted to participate in a pending action is solely within the broad discretion of the district court. *Kadel v. Folwell*, No. 1:19CV272, 2022 WL 1046313, at

\*1 (M.D.N.C. Apr. 7, 2022). In exercising the Court’s discretion, “[t]he filing of an amicus brief should be permitted if it will assist the judge ‘by presenting ideas, arguments, theories, insights, facts or data that are not to be found in the parties’ briefs.’” *Northern Mariana Islands v. United States*, No. 08-1572, 2009 WL 596986, at \*1 (D.D.C. Mar. 6, 2009) (quoting *Voices for Choices v. Ill. Bell Tel. Co.*, 339 F.3d 542, 545 (7th Cir. 2003)).

Accordingly, courts routinely permit third parties to participate as *amici curiae* when they can “provide helpful analysis of the law” or if “they have a special interest in the subject matter of the suit.” *Kadel*, No. 1:19CV272, 2022 WL 1046313, at \*1. SFI meets both criteria and is submitting its brief at a time whereby it can be considered along with the parties briefing. *Waste Mgmt. of Pennsylvania, Inc. v. City of York*, 162 F.R.D. 34, 36 (M.D. Pa. 1995) (“A court may grant leave to appear as an *amicus* if the information offered is ‘timely and useful.’”). For the foregoing reasons, SFI respectfully requests that this Court grant its motion for leave to file the attached *amicus curiae* brief. A proposed order is also attached to this motion.

Respectfully submitted this the 25th day of April, 2025.

/s/ Lucy Inman

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*Attorneys for Amici Curiae Secure Families  
Initiative*

*\*Special Admission Applications  
Forthcoming*

**CERTIFICATE OF SERVICE**

I certify that on April 25, 2025, I filed the foregoing motion with the Clerk of Court using the CM/ECF system, which will automatically serve electronic copies on all counsel of record.

/s/ Lucy Inman

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